

**AFFIDAVIT**

Statement of John Townley

I, John Townley, am employed as an Investigator with the Federal Public Defender for the Western District of Pennsylvania. On November 10, 2005, I spoke with United States Army Staff Sergeant Dallas Callis by telephone. Sergeant Callis is currently stationed at Fort Richardson in Alaska. I identified myself as an Investigator with the Federal Public Defender and explained that the office was appointed to represent Kurtis Armann on some issues stemming from his 1999 conviction in military court. Sergeant Callis remembered Kurtis Armann and agreed to speak to me.

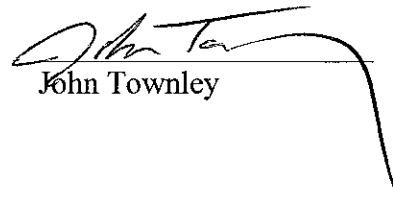
Sergeant Callis stated that he was stationed at Hanau, Germany in 1998 and 1999, and that he was Kurtis Armann's supervisor. During the time Kurtis Armann was detained at Mannheim Disciplinary Barracks, Sergeant Callis was responsible for transporting him to and from any medical appointments and court proceedings, including his plea and sentence hearings on March 19, 1999. Sergeant Callis stated that it was a 4-5 hour one way trip between Mannheim and Hanau. Sergeant Callis stated that whenever he transported Kurtis Armann, he was provided any prescription medication Armann would need and was responsible for giving the medication to Armann. Sergeant Callis also stated he was required to maintain a record of any medication provided to Armann in a medication log. Sergeant Callis does not remember specific medications Kurtis Armann was prescribed.

After speaking to Sergeant Callis, I mailed him copies of medication logs from Mannheim Disciplinary Barracks for March 18<sup>th</sup> and 19<sup>th</sup>, 1999. These medication logs included the medications Promethazine, Midrin, Fiorinal, Fioricet, Seconal, Compazine tablets, Compazine suppositories, and Amitriptyline, and are copies of the medication logs attached to this Motion. The medication logs showed that in the column "Issued By", the initials "DEC" appear, and I requested Sergeant Callis to review the documents, and determine if the initials "DEC" were his.

I again spoke to Sergeant Callis on December 15, 2005. At that time he confirmed that the initials "DEC" on the medication logs were his and that he provided Kurtis Armann the listed medication on those dates and times.

Under penalty of perjury, the undersigned declares that the contents on the foregoing affidavit are true and correct to the best of his knowledge and belief, pursuant to 28 U.S.C. 1746.

DATE: December 23, 2005

  
John Townley